

## **REMARKS**

### **I. Overview**

Claims 1-29 will be pending in the present application upon entry of these amendments. Claims 1, 2, 7-9, 13-15, 20, 21, and 24 have been amended. Claims 25-29 have been added. A Substitute Specification, excluding the claims, has been presented under 37 C.F.R. § 1.125(b). The issues raised by the Examiner in the Non-Final Office Action of February 21, 2007 (*Office Action*) are as follows:

- The disclosure is objected to for informalities;
- Claims 1-24 are objected to for informalities;
- Claims 1-3, 5-10, 12-16, and 18-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,072,486 (*Sheldon*); and
- Claims 4, 11, 17, and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sheldon* in view of U.S. Patent Application Publication No. 2006/0136843 (*Shafron*).

In response, Applicant respectfully traverses the outstanding claim rejections and requests reconsideration and withdrawal in light of the remarks presented herein.

### **II. Amendments to the Claims**

Claims 1, 2, 7-9, 13-15, 20, 21, and 24 have been amended to remove the term “shutters.” No new matter has been added. Moreover, these amendments are cosmetic in nature and are not intended to narrow the scope of the claims.

Claim 1 has been amended to recite a managed application display area displaying at least one managed application corresponding to at least one icon, wherein the at least one icon is selected according to a step of an automated workflow that guides an agent’s handling of a

contact. No new matter has been presented with the amendment of claim 1, as the added language finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p.5, ln. 30—p. 6, ln. 2; p. 5, lns. 16-18; p. 7, ln. 22—p. 8, ln. 2; p. 10, ln. 24—p. 11, ln. 22.

Claim 8 has been amended to recite displaying an automated workflow that defines a plurality of steps for controlling the handling of a customer call. No new matter has been presented with the amendment of claim 8, as the added language finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p.5, ln. 30—p. 6, ln. 2; p. 5, lns. 16-18; p. 7, ln. 22—p. 8, ln. 2; p. 10, ln. 24—p. 11, ln. 22.

Claim 14 has been amended to recite an automated workflow defining a plurality of steps for controlling an agent's handling of a contact. No new matter has been presented with the amendment of claim 14, as the added language finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p.5, ln. 30—p. 6, ln. 2; p. 5, lns. 16-18; p. 7, ln. 22—p. 8, ln. 2; p.8, lns. 15-17; p. 10, ln. 24—p. 11, ln. 22.

Claim 21 has been amended to recite a contact center control panel illustrating current contact information, wherein the information indicates a type of call placed by a current contact to the contact center, an automated workflow defining a plurality of steps for controlling an agent's handling of the current contact, and at least one icon selected according to a corresponding step of a workflow and the type of call indicated by the contact center control panel. No new matter has been presented with the amendment of claim 21, as the added language finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p.5, ln. 30—p. 6, ln. 2; p. 5, lns. 16-18; p. 7, ln. 22—p. 8, ln. 2; p.8, lns. 15-17; p. 10, ln. 24—p. 11, ln. 22.

### **III. Objections to the Specification**

The Specification stands objected to because, according to the Examiner, "the term 'shutters' . . . is not common terminology in the art" and "related application numbers and filing

dates are blanks.” *Office Action*, at p. 2. In compliance with 37 C.F.R. § 1.125(b), Applicant hereby submits the Substitute Specification enclosed herein. Appendix A contains a marked-up copy of the Substitute Specification excluding the claims and showing all the changes relative to the immediate prior version of the specification of record, including changes submitted in the preliminary amendment filed concurrently with the original specification. Appendix B contains a clean copy of the Substitute Specification excluding the claims. No new matter has been added.

Applicant respectfully submits that the term “shutters,” as used in the Specification, refers to a federally registered trademark owned by Applicant (U.S. Registration No. 2,890,227). In accordance with M.P.E.P. § 608.01(v), the term “shutters” has been replaced with its capitalized form “SHUTTERS” to indicate that it is a mark, and not a functional element. The Substitute Specification also states that the mark SHUTTERS generally refers to the manipulation of software applications (i.e., opening, closing, resizing, etc.) as described in the original Specification, in order to fulfill the requirement that the mark be accompanied by generic terminology. The added language finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p. 10, ln. 4—p. 11, ln. 22.

The Substitute Specification now also includes the corresponding serial numbers of each related application and their filing dates, when appropriate. With respect to U.S. patent application serial number 10/633,018, 10/632,649, and 10/632,617, the original Specification stated that they were co-filed (*i.e.*, filed on the same filing date) with the present application. Accordingly, Applicant respectfully requests that the Examiner withdraw the objections of record with respect to the Specification.

#### **IV. Objections to the Claims**

Claims 1-24 are objected to because, according to the Examiner, “[t]he term ‘shutters’ . . . is not common terminology in the art.” *Office Action*, at p. 2. As noted above, the term “shutters” refers to a federally registered trademark owned by Applicant (U.S. Registration No.

2,890,227) and does not add functional limitations to the claims. Further, to expedite prosecution of the present application, Applicant has amended the claims to remove the term “shutters.” Therefore, Applicant respectfully requests that the Examiner withdraw the objections of record with respect to the claims.

#### **V. Claim Rejections Under 35 U.S.C. § 102**

Claims 1-3, 5-10, 12-16, and 18-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Sheldon*. *Office Action*, at p. 3. Applicant traverses the rejection and asserts that these claims are allowable, at least, for the reasons stated below.

To anticipate a claim under 35 U.S.C. § 102, a single reference must teach each and every element of the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). In fact, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Furthermore, for a reference to be anticipatory, “[its] elements must be arranged as required by the claim.” *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990), *cited in* M.P.E.P. § 2131.

##### **A. Claims 1-3 and 5-7**

Independent claim 1, as amended, recites “a managed application display area displaying the at least one managed application corresponding to the at least one icon, wherein the at least one icon is selected according to a step of an automated workflow that guides the agent’s handling of a contact . . . .” At the passage previously cited by the Examiner, *Sheldon* describes that “[i]n state 1010, a dialog box is displayed on the display screen and contains various application programs and other computer functions that the user can select.” *Sheldon*, at col. 21, lns. 42-44. Presumably, the Examiner is relying upon *Sheldon*’s dialog box as meeting the claimed display area. However, *Sheldon* does not teach a display area that displays a managed application corresponding to an icon where the at icon is selected according to a step of an automated workflow that guides an agent’s handling of a contact, as now recited in the claim.

Consequently, *Sheldon* does not teach every element recited in independent claim 1. Dependent Claims 2, 3, and 5-7 depend from independent claim 1 and thus are patentable for at least the same reasons. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of record with respect to claims 1-3 and 5-7.

B. Claims 8-10, 12, and 13

Independent claim 8, as amended, recites “displaying an automated workflow that defines a plurality of steps for controlling the handling of a customer call . . . .” Applicant respectfully submits that *Sheldon* does not teach this feature. Dependent claims 9, 10, 12, and 13 depend from independent claim 8 and thus are patentable for at least the same reasons. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of record with respect to claims 8-10, 12, and 13.

C. Claims 14-16 and 18-20

Independent claim 14, as amended, recites “an automated workflow defining a plurality of steps for controlling the agent’s handling of a contact . . . .” Applicant respectfully submits that *Sheldon* does not teach this feature. Dependent claims 15, 16, and 18-20 depend from independent claim 14 and thus are patentable for at least the same reasons. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of record with respect to claims 14-16 and 18-20.

**VI. Claim Rejections Under 35 U.S.C. § 103**

Claims 4, 11, 17, and 21-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sheldon* in view of *Shafron*. *Office Action*, at p. 8. Applicant traverses the rejection and asserts that the claims are allowable, at least, for the reasons stated below.

To establish a prima facie case of obviousness under 35 U.S.C. § 103(a), three basic criteria must be met. *See* M.P.E.P. § 2143. First, there must be some suggestion or motivation,

either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the references' teachings. *Id.* Second, there must be a reasonable expectation of success. *Id.* Finally, the reference (or references when combined) must teach or suggest all the claim limitations. *Id.* Applicant asserts that the rejection does not satisfy the basic criteria.

#### Lack of All Claimed Elements

##### 1. Claims 4, 11, and 17

As noted above, the *Sheldon* does not teach or suggest every element recited in independent claims 1, 8, and 14. The Examiner has not relied upon *Shaftron* as curing *Sheldon*'s deficiencies and Applicant respectfully asserts that *Shaftron* does not cure those deficiencies. Therefore, the combination of *Sheldon* with *Shaftron* does not teach or suggest every element recited in independent claims 1, 8, or 14. Dependent claims 4, 11, and 17 depend from independent claims 1, 8, and 14, respectively, and thus are patentable for at least the same reasons. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of record with respect to claims 4, 11, and 17.

##### 2. Claims 21-24

Independent claim 21, as amended, recites "a contact center control panel illustrating current contact information, wherein the information indicates a type of call placed by the current contact to the contact center . . . ." The Examiner has admitted that *Sheldon* is silent with respect to a contact center control panel and has relied solely upon *Shaftron* as teaching an "address book." *Office Action*, at p. 9. In response, Applicant respectfully asserts that *Shaftron*'s address book does not indicate a type of call placed by a current contact to a contact center, as now recited by claim 21.

Moreover, independent claim 21, as amended, also recites:

an automated workflow defining a plurality of steps for controlling the agent's handling of the current contact and having at least one step corresponding to each one of the at least one icon, wherein one of the at least one icon is selected according to the corresponding step of the workflow and the type of call indicated by the contact center control panel . . . .

The Examiner has previously relied solely on *Sheldon* as teaching or suggesting these features. *Office Action*, at p. 9. However, *Sheldon* is completely silent regarding an automated workflow defining a plurality of steps for controlling the agent's handling of a contact, as now recited by claim 21. Further, *Sheldon* is also silent regarding an icon being selected according to a corresponding step of a workflow and the type of call indicated by the contact center control panel, as also recited by claim 21. Applicant respectfully asserts that *Shafron* does not cure these deficiencies.

Therefore, the combination of *Sheldon* with *Shafron* does not teach or suggest every element recited in independent claim 21. Dependent claims 22-24 depend from independent claim 21 and thus are patentable for at least the same reasons. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(b) rejection of record with respect to claims 21-24.

## VII. New Claims

Claims 25-29 are newly presented. No new matter has been added as the language of claims 25-29 finds ample support throughout the Specification as originally filed. *E.g.*, *Specification*, at p.5, ln. 30—p. 6, ln. 2; p. 5, lns. 16-18; p. 7, ln. 22—p. 8, ln. 2; p.8, lns. 15-17; p. 10, ln. 24—p. 11, ln. 22. Furthermore, Applicant respectfully asserts that the references of record are silent regarding the features recited in claims 25-29.

For example, claims 25 and 29 recite that a “type of call is selected from the group consisting of: voice, e-mail, web collaboration, and chat,” claim 26 recites “receiving a call at the contact center, the call having one of a plurality of media types; automatically opening one or

more applications on the agent's desktop suitable for aiding the agent in handling the call depending, at least in part, upon the one media type; and automatically re-configuring the appearance of the graphical user interface as the agent follows steps of a pre-programmed call handling workflow," claim 27 recites "automatically re-sizing one or more applications, at least in part, as a function of a number of simultaneously open applications," and claim 28 recites "automatically closing one or more applications as the agent follows steps of the pre-programmed call handling workflow." Neither *Sheldon* nor *Shafron*, taken alone or in combination, teaches or suggests these features. Accordingly, Applicant believes that claims 25-29 are in immediate condition for allowance.

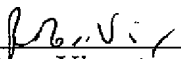
### VIII. Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes a fee of \$450.00 is due with this response. However, if additional fees are due, please charge Deposit Account No. 06-2380, under Order No. 47524-P157US-10613152 from which the undersigned is authorized to draw.

Dated: May 18, 2007

Respectfully submitted,

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is e-filed on the date shown below.

Dated: May 18, 2007

Signature:   
Joy H. Perigo